

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**STEWART SIELEMAN**, individually  
and on behalf of all others similarly  
situated,

*Plaintiff,*

vs.

**FREEDOM MORTGAGE  
CORPORATION**, a company  
registered in the State of New Jersey,

*Defendant.*

Case No. 1:17-CV-13110-JBS-JS

*Motion Returnable: March 19, 2018*

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the annexed Memorandum of Law and all other papers and proceedings herein, Defendant Freedom Mortgage Corporation (“FMC” or “Defendant”), by and through its undersigned counsel, will move this Court for an order dismissing the instant action with prejudice for failure to state a claim upon which relief can be granted or, in the alternative, an order staying this case pending a decision by the United States Court of Appeals for the District of Columbia Circuit in *ACA International*, and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that FMC respectfully requests an opportunity to file reply papers, and respectfully requests oral argument if the Court deems it necessary.

DATED: February 15, 2018

**REED SMITH LLP**

By: /s/ David G. Murphy  
David G. Murphy, Esq.  
Reed Smith, LLP  
136 Main Street, Suite 250  
Princeton, NJ 08540  
Telephone: 609.514.5947  
Facsimile: 609.951.0824  
Email: dmurphy@reedsmith.com

*Counsel for Defendant  
Freedom Mortgage Corporation*